

IN THE CIRCUIT COURT OF TANEY COUNTY, MISSOURI

LEISA GROVES

Plaintiff,

vs.

Case No: _____

KENT INTERNATIONAL INC.

Serve: The Corporation Trust Company
Corporation Trust Center
1209 Orange St.
Wilmington, DE 19801

WAL-MART STORES EAST, L.P.

Serve: CT Corporation System
120 South Central Ave.
Clayton, Missouri 63105

WALMART, INC.

Serve: CT Corporation System
120 South Central Ave.
Clayton, Missouri 63105

Defendants.

PETITION

COMES NOW, Plaintiff, Leisa Groves by and through counsel brings the following

Petition against Defendants:

1. Plaintiff is a citizen and resident of Taney County, Missouri.
2. Defendant, Kent International, is a Delaware corporation, headquartered in New Jersey, doing business in Missouri.
3. Kent transacted business in Missouri, entered into contracts in Missouri, and committed the tort underlying this suit in Missouri.
4. Defendant Wal-Mart Stores East, L.P. ("Wal-Mart"), is a Delaware corporation and at all times pertinent to this petition was authorized to do business within the State of Missouri.

5. Defendant Walmart Inc. is a Delaware corporation and at all times pertinent to this petition transacted business in Missouri.
6. Defendants transacted business in Missouri, entered into contracts in Missouri, and committed the tort underlying this suit in Missouri.
7. Venue is proper pursuant to § 508.010 R.S.Mo. in that Plaintiff was first injured by Defendants' wrongful acts and negligent conduct in Taney County, Missouri.

GENERAL ALLEGATIONS

8. Plaintiff purchased a three wheeled bike ("trike" or "tricycle") for \$149.00 on December 28, 2015 from Walmart store #4381 located at 1101 Branson Hills Parkway, Branson, Missouri in Stone County, Missouri.
9. A true and accurate copy of her receipt appears below:

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STM 4381 OP# 00003497 TEL 71 TR# 06581
NOT ON FILE > 400070002330
NOT ON FILE > 400070002330
TRICYCLE DOB QTY 1K 149.00 AD
SUBTOTAL 149.00
NOT ON FILE > 60
TP HOLDER 0885785527578 14.47 AD
SUBTOTAL 163.47
CREDIT CARD #
*****4788 I
EXPIRATION DATE 12/16
APPROVAL # 04148A
AMOUNT AUTHORIZED IS 178.35
CAME 000000017835
VISA CREDIT
AID A0000000031010
ICC 0840 CN
TVR 0080001000 CVNR 560000 ARC 00
TC B21845689F23E6CA
IAD 5PA67689EBC6ED4C3030
ARC 0003 UP# 0D52F4E3 TSI F800
TERMINAL # SC010401
*NO SIGNATURE REQUIRED
CREDIT CARD STATUS IS APPROVED
CHASE VISA *****4788 I 2
APPROVAL # 04148A
REF # 1042000314
12/28/15 11:30:09
SALES TAX 1 14.88
TOTAL 178.35
VISA TEND 178.35
CHANGE DUE 0.00
***SURVEY OFFERED***
TCS 7788 1730 2601 7223 6763 6
12/28/15 11:38:13

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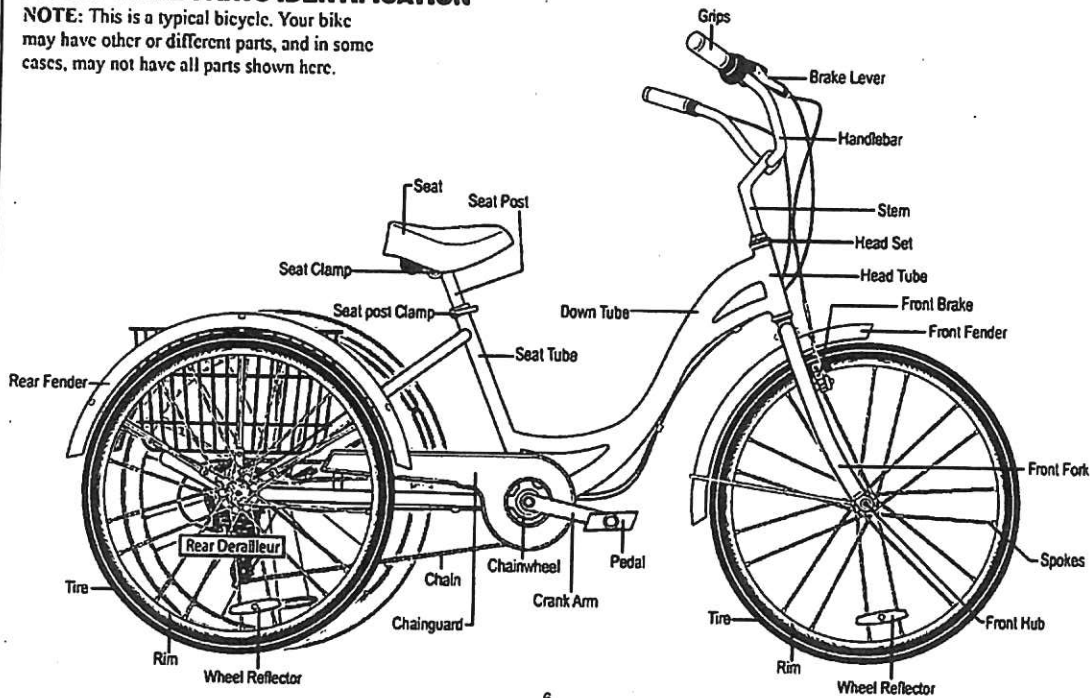
10. The tricycle was partially assembled and adjusted by Kent Industries prior to shipping.
11. The tricycle was finally adjusted and assembled at the Walmart Store by a Walmart employee.

12. The assembly instructions appear on pages 13-33 of the Kent Adult Tricycle manual.

13. The major parts of the Kent Industries trike are shown in the diagram below:

ADULT TRIKE PARTS IDENTIFICATION

NOTE: This is a typical bicycle. Your bike may have other or different parts, and in some cases, may not have all parts shown here.



14. Walmart offers and advertises “free in-store bike assembly” and sells its bikes in an assembled and ready-to-ride state.

15. In the past, Walmart contracted with third-party vendors to assemble its bikes and to bring the assembled bikes to its store. Upon information and belief, in or about 2014, Walmart began assembling its bikes in-house, using its own employees.

16. Upon information and belief, Walmart’s bike assemblers were the same employees assembling Walmart’s patio furniture and other products in the stores.

17. Upon information and belief, Walmart’s bike assemblers received inadequate or no training with respect to assembling bikes and trikes.

18. Upon information and belief, Walmart's bike assemblers do not have accessible, or do not fill in, a checklist upon completing a bicycle or tricycle assembly.
19. Assembly checklists are crucial to maintaining safety standards and are readily available at no costs from a multitude of suppliers.
20. Moreover, there are many companies that offer training services and certification for bike / trike assemblers. For example, Barnett Bicycle Institute offers training and exam administration for the BSE (Bicycle Standard of Excellence) Level 1 Certification and BSE Level 2 Certification.
21. United Bicycle Institute is another company that offers training and certification for bike / trike assemblers and offers a Certified Bicycle Technician program.
22. Upon information and belief, Walmart could have trained and certified its bike / trike assemblers for less than \$30.00, but chose not to.
23. Moreover, Walmart could have purchased or created training videos for its bike assemblers but chose not to and chose not to make use of companies that offer bike assembly training via on-demand videos on the Internet.
24. Upon information and belief, Walmart's bike and trike assemblers are so pressured to assemble bikes and trikes as fast as they can to meet the demand of customers, that they do not have time to properly inspect the bikes after assembly and fail to inspect even the most basic safety features, such as making sure that bolts are properly tightened or that brakes and tires are properly installed.
25. Upon information and belief, Walmart's bike / trike assemblers do not follow the procedures a reasonably prudent store would follow prior to placing assembled bikes for sale to the public.

26. Upon information and belief, Walmart does not have a procedure in place for an assembled bike / trike to be inspected by a certified or properly trained third-party or in-house inspector before placing the bike on the sales floor.

27. Kent International published an "Adult Tricycle Assembly Manual" that covers its model number GS12600¹.

28. In the introduction to the manual, it contains the following warning:

⚠ DANGER! Failure to properly assemble and maintain your bicycle could result in serious injury or death to the rider.

29. However, Defendants provided Plaintiff no manual or other documentation at the time of purchase and no manuals or documentation were attached to the tricycle.

30. The manual published by Kent but not distributed to Plaintiff would have warned her, among other things, of the following:

- a. "Check your brakes."
- b. "carefully read and follow manual before riding"
- c. "If you have any doubts about the assembly . . . You must have it assembled . . . by a professional bicycle mechanic."
- d. "DANGER! Failure to properly assemble and maintain your bicycle could result in serious injury or death to the rider."
- e.

CAUTION Before you ride the bicycle, check the brake and other parts of the bike. Make sure all parts are tightened, assembled correctly and working properly. Take your first ride in a large, open, level area. If you have a problem, check the assembly instructions and follow the maintenance procedures in this book. If you do not feel comfortable with your skills in assembling or adjusting the bike, please take it to a professional bike repairman.

¹ All references in this Petition to the Kent Industries' manual are the product of research by Plaintiff's counsel after Plaintiff retained counsel and after all of her claims had fully accrued. Plaintiff was not aware of the manual's existence at any time relevant to the accrual of her claims.



TO AVOID INJURY, THIS PRODUCT MUST BE PROPERLY ASSEMBLED BEFORE USE. WE STRONGLY RECOMMEND THAT YOU REVIEW THE COMPLETE ASSEMBLY GUIDE AND PERFORM CHECKS SPECIFIED IN THE OWNER'S MANUAL BEFORE RIDING.



BEFORE EVERY RIDE:

Just a minute spent before each ride can significantly improve your safety and the enjoyment of your ride. So, each time before you ride make a habit of performing the following safety checks.

- Stand in front of the bicycle facing rearward and hold the front wheel securely between your legs. Try to twist the handlebar and verify that they do not move. Then pull the handlebars up, trying to lift the bike. There should be no movement.
- Try to push the front wheel from side to side and confirm that it feels tight and will not wobble. Lift the front wheel up by the handlebars and strike wheel downward with the heel of your hand and confirm that it is securely attached to the wheel. Spin the front wheel and confirm that it does not wobble or contact the fork or brake pads.
- Try to lift, push down on and twist the seat to confirm that it is tight.
- Look at the connection of the pedals to the crank arm. You should see no pedal screw threads and the pedal should feel firm and be parallel to the ground.
- Apply your brake(s) and make sure that they feel firm to the touch, and then spin the wheel(s). Apply the brakes. They should stop the wheel(s).
- Check to be sure that fenders and accessories are firmly attached and will not contact any moving parts. Make sure all reflectors are in position and not broken.

31. The tricycle was labeled with model number GS12600 and serial number S150405775.
32. The tricycle is designed for a single occupant/operator and includes a cargo basket behind the operator.
33. The tricycle has a single speed, free-wheel drivetrain and utilizes front and rear brakes that are independently actuated through hand levers located on the handlebars.
34. The front brake incorporates a traditional cable actuated "linear pull" rim brake design (a.k.a V-brakes) while the rear brake utilizes a cable actuated "band brake" design.
35. Both the front and rear brakes are cable actuated.
36. The adjustment of the cable tension can be accomplished either via the cable clamp near the braking mechanism or via the threaded adjuster near the brake lever.
37. Typically, the initial brake adjustment is done by setting an appropriate cable length with the cable clamp then the adjusters are used for "fine-tuning" the cable tension.
38. April 4, 2016 was a dry, mostly sunny day with a high of 72°F.

39. During the afternoon of that day, Plaintiff attempted her first ride on the Kent Industries adult tricycle she purchased at Walmart.
40. Plaintiff walked the trike from her carport, down her driveway and onto the street located in front of her residence located at 209 Cliff Drive, Branson, Missouri.
41. She mounted the tricycle, pedaled once and the trike started moving forward on a downhill grade.
42. The grade of her residential street varies between approximately 4 to as much as 7 or 8 degrees with an average grade of approximately 9.1%.
43. Plaintiff tried to apply the brakes but they were insufficient to slow the trike as she approached a T intersection.
44. Because she was travelling at a high rate of speed toward a curb and utility pole at the end of the street, she had no choice but to attempt to turn to avoid a direct and head-on collision with the curb and the utility pole.
45. Because of the trike's insufficient braking system, the attempt to navigate the turn failed and she crashed, launching Plaintiff over the handlebars, face-first into the curb and pavement
46. As a result of the brake failure, Plaintiff suffered abrasions, cuts and swelling of left wrist and knee, left forehead, left cheek and left periorbital region; swelling, bruising and cuts to left upper lip, fracture of left lateral incisor tooth, broken nose and traumatic brain injury.
47. Plaintiff continues to suffer from side effects of the traumatic brain injury which includes persistent and severe headaches, chronic tinnitus, sensitivity to sound, mental confusion, difficulty learning and understanding, difficulty creating new memories, abnormal

laughing and crying, aggression, impulsivity, irritability, lack of restraint, anger, anxiety, dizziness, fatigue, nausea, vomiting, blurred vision, concentration difficulties, stiff and painful muscles, difficulty speaking, difficulty putting thoughts to words, slurred speech and sensitivity to light.

48. Since the initial examinations and treatment, Plaintiff has continued to experience both transient and clinical signs of craniocerebral trauma which include mental confusion, blurred vision, concentration difficulties, difficulty thinking and understanding, inability to create new memories, inability to recognize common things, abnormal laughing and crying, aggression, impulsivity, irritability, lack of restraint, persistent repetition of words and actions, stiff muscles, persistent ringing in ears, and sensitivity to sound, as more fully set forth in her treatment records.
49. To date, Plaintiff has sustained special damages as follows: \$5,031 for dental and \$37,492.25 for medical treatment.
50. Because of her injuries, Plaintiff has suffered a dramatic loss of income.
- a. In 2013 Plaintiff's income was \$50,893.00; in 2014 her income was \$50,961; in 2015 her income was \$52,827.
 - b. After the accident on April 4, 2016, her income decreased to \$39,961 in 2016; \$31,160 in 2017, \$27,833 in 2018 and finally in 2019, her income was \$21,422.
51. Plaintiff will sustain future medical bills and expenses, suffer future lost wages and sustain future impairment.

COUNT I -- STRICT PRODUCT LIABILITY

52. Plaintiff incorporates the foregoing paragraphs by reference as if set forth more fully herein.
53. Kent industries sold the trike to the Walmart Defendants who then sold it at retail to Plaintiff and in doing so, each of the defendants sold the trike in question in the course of their businesses.
54. At the time of each sale, the product was in a defective condition unreasonably dangerous when put to a reasonably anticipated use in that:
- a. On-product labeling of the subject tricycle indicates that it was designed and manufactured to meet the US CPSC (consumer product safety commission) regulations for bicycles.
 - b. The CPSC bicycle regulations are contained in the US Code of Federal Regulations at 16 CFR Part 1512. Parts 1512.5 and 1512.18 contain stopping distance requirements and test procedures which state that the vehicle must be capable of stopping within 15 feet from a speed of 15 mph while actuating only one brake system at a time.
 - c. Another way of stating the CFR braking requirements is that the trike's braking systems must individually be capable of generating a deceleration rate of 0.50g.
 - d. Post-accident calculations by our engineer show that the subject trike's braking systems are only capable of generating a deceleration rate of 0.15g for the front brake and 0.08g for the rear brake.
 - e. The subject tricycle exhibited insufficient braking capability and does not meet the CPSC regulations for bicycles in that (a) the braking capability of the front

brakes was approximately 30% of the requirement published in the CPSC bicycle regulations and (b) the braking capability of the rear brakes was approximately 16% of the requirement published in the CPSC bicycle regulations.

- f. Kent industries failed to comply with CPSC regulations at the time of manufacture as set forth above.
- g. The Walmart defendants failed to comply with the CPSC regulations at the time of final assembly.
- h. The Walmart defendants failed to comply with the CPSC regulations at the time of final sale.
- i. Alternatively, the trike was defectively designed and/or manufactured in a manner that prevented it from demonstrating sufficient braking when put to its intended uses

55. Defendants intend that adult tricycles be used in the following manner: "These bikes are intended for use on public roads, paths or tracks that are in good condition. These bikes are NOT intended for off-road use." (Owner's Manual, page 2).

56. Plaintiff put the product was put to use in a reasonably anticipated manner by riding the trike on a public road that was paved and in good condition, in the manner defendants intended for it to be ridden in; and

57. As a direct and proximate result, the plaintiff was damaged as a direct result of a defective condition which existed at the time the product was sold in that she was unable to brake the bicycle due to the defective conditions set forth above.

WHEREFORE, Plaintiff prays for judgment against the Defendants, jointly and severally, and for such other relief as the Court deems just and proper.

COUNT II -- NEGLIGENCE PER SE

58. Plaintiff incorporates the foregoing paragraphs by reference as if set forth more fully herein.
59. The United States Consumer Product Safety Commission is an independent agency of the United States government.
60. The CPSC seeks to promote the safety of consumer products by addressing “unreasonable risks” of injury; developing uniform safety standards; and conducting research into product-related illness and injury.
61. Defendants are each regulated by the CPSC.
62. Manufacturers, distributors, and/or retailers of consumer products, have a legal obligation to immediately report the following types of information to the CPSC:
- a. A defective product that could create a substantial risk of injury to consumers;
 - b. A product that creates an unreasonable risk of serious injury or death;
 - c. A product that fails to comply with an applicable consumer product safety rule or with any other rule, regulation, standard, or ban under the CPSA or any other statute enforced by the CPSC; and
 - d. Certain types of lawsuits. (This applies to manufacturers and importers only and is subject to the time periods detailed in Sec. 37 of the CPSA.
63. Plaintiff reported her injury and the defective condition of the tricycle to Defendants.
64. Defendants had an obligation to report same to the CPSC.
65. Defendants failed to report the defective tricycle to the CPSC.
66. Defendant made no report to the CPSC arising out of Plaintiff's trike wreck.

67. The CPSIA implements the most sweeping revision of United States consumer product safety laws since 1972, when Congress enacted the original Consumer Product Safety Act (CPSA).
 68. In 2008, Congress enacted the Consumer Products Safety Improvement Act (Pub. L. No. 110-314, 122 Stat. 3016 (codified in scattered sections of 15 U.S.C.)).
 69. Congress enacted the Consumer Products Safety Act (CPSA) in 1972 and it is found at 15 U.S.C. §§ 2051-2089.
 70. The CPSIA also amended other statutes that CPSC administers, notably the Federal Hazardous Substances Act ("HAS") 15 U.S.C. §§ 1261-1276 (1960) (FHSA).
 71. Congress granted the CPSC the power to regulate Bicycles under the Federal Hazardous Substances Act.
 72. Defendants are required to comply with the CPSA, the CPSIA and the HSA and the rules promulgated thereunder.
 73. The CPSA, CPSIA and HSA, and rules promulgated thereunder pronounce via a statute and rule what the conduct of a reasonable tricycle manufacturer and retailer must be.
 74. Congress, via the CPSA, CPSIA and HSA established a statutory standard of care as to the design, manufacturing, assembly, and sale of bicycles, tricycles, and established the minimum requirement for the braking systems for same.
 75. Defendants violated the CPSA, CPSIA and HSA in one or more material respects including but not limited to their failure to comply with 16 CSR 1512.5.
 76. As a direct and proximate result of Defendant's violation, Plaintiff was damaged.
- WHEREFORE**, Plaintiff prays for judgment against the Defendants, jointly and severally, and for such other relief as the Court deems just and proper.

COUNT III -- NEGLIGENCE

77. Plaintiff incorporates the foregoing paragraphs by reference as if set forth more fully herein.

78. Defendants owed Plaintiff a duty to use reasonable care and caution.

79. Defendants were negligent in the following respects:

- a. Failure to use reasonable care in the design of the trike's brake system;
- b. Failure to use reasonable care in the manufacture of the trike's brake system;
- c. Failure to use reasonable care in the partial assembly of the trike;
- d. Failure to properly train and supervise the trike / bike assemblers;
- e. Failure to use reasonable care in the final assembly of the trike;
- f. Failure to use a checklist in the assembly of the trike;
- g. Failure to do a final safety inspection of the trike prior to delivery to Plaintiff;
- h. Failure to warn plaintiff of the dangers associated with the trike;
- i. Failure to warn plaintiff about the proper use of the trike;
- j. Failure to deliver an operator's manual to Plaintiff at the point of sale.

80. As a direct and proximate result, Plaintiff was damaged.

WHEREFORE, Plaintiff prays for judgment against the Defendants, jointly and severally, and for such other relief as the Court deems just and proper.

COUNT IV -- BREACH OF IMPLIED WARRANTY

81. Plaintiff incorporates the foregoing paragraphs by reference as if set forth more fully herein.

82. Defendants, acting alone or together, are merchants.

83. Defendant Kent sold the Walmart Defendants the trike.

84. At the time of this sale, the trike was not merchantable due to the defective braking system.

85. The Walmart Defendants sold Plaintiff goods, namely the trike at issue.

86. At the time of the final sale, the trike was not merchantable.

87. As a direct and proximate result, Plaintiff suffered damages caused by the defective nature of the trike's braking system.

88. Plaintiff provided notice of injury to Defendants.

89. Defendants acknowledged Plaintiff's notice of injury by (a) sending out an engineer to photograph and inspect the trike; and by (b) paying \$13,425.46 towards Plaintiff's medical bills and expenses.

WHEREFORE, Plaintiff prays for judgment against the Defendants, jointly and severally, and for such other relief as the Court deems just and proper.

COUNT IV -- BREACH OF EXPRESS WARRANTY

90. Plaintiff incorporates the foregoing paragraphs by reference as if set forth more fully herein.

91. Defendants sold goods to the plaintiff via the stream of commerce;

92. Defendants made a statement of fact about the kind or quality of those goods;

93. At the time of sale, Defendants' agent told Plaintiff the bike was in good working order and was carefully assembled and was ready to ride.

94. The statement of fact was a material factor inducing the Plaintiff to purchase the goods.

95. The goods did not conform to that statement of fact.

96. The nonconformity injured the Plaintiff; and

97. Plaintiff notified the Defendants of the nonconformity in a timely fashion.

98. The express warranty was in no way limited or disclaimed.

99. As a direct and proximate result, Plaintiff was damaged.

WHEREFORE, Plaintiff prays for judgment against the Defendants, jointly and severally, and for such other relief as the Court deems just and proper.

COUNT IV -- BREACH OF LIMITED WARRANTY

100. Plaintiff incorporates the foregoing paragraphs by reference as if set forth more fully herein.

101. Kent Industries sold goods to the plaintiff via the stream of commerce;

102. Kent sold the trike with a written limited warranty. A true and accurate copy of the limited warranty appears below:

LIMITED WARRANTY

This Limited Warranty extends only to the original retail purchaser, who must produce proof of purchase in order to validate any claim. This warranty is not transferable to anyone else.

What does this Limited Warranty cover? This warranty covers all parts of the bicycle to be free of defects in workmanship and materials. What must you do to keep the Limited Warranty in effect? This warranty is effective only if:

- The bicycle is completely and correctly assembled.
- The bicycle is used under normal conditions for its intended purpose, by a person that properly fits and is capable of controlling the bicycle.
- The bicycle receives all necessary maintenance and adjustments.

What is not covered by this Limited Warranty? This warranty does not include labour and transportation charges. The bicycle is designed for general transportation and recreational use only. This warranty does not cover normal wear and tear, paint, rust, normal maintenance items, personal injury, or any damage, failure, or loss that is caused by accident, improper assembly, maintenance, adjustment, storage, or use of the bicycle.

This Limited Warranty will be void if the bicycle is ever:

- Used in any competitive sport.
- Used for stunt riding, jumping, aerobatics or similar activity.
- Installed with a motor or modified in any other way.
- Ridden by more than one person at a time.
- Rented or used for commercial purposes.
- Used in a manner contrary to the instructions in this Owner's Manual. Kent International will not be liable for incidental or consequential loss or damage, due directly or indirectly from use of this product.

For how long does this Limited Warranty last? The frame is warranted for the usable life of the bicycle. Kent International will replace the frame at no charge, should it fail in any weld point when the cycle has been used in a normal manner, and determined by our inspection. Kent will also replace the bicycle fork if it should fail at any weld point. You must receive prior authorization from Kent Customer Service, before returning any product or parts. All other components are warranted against defects for six months from the date of purchase when properly assembled and used in a normal manner.

What will Kent do? We will replace, without charge to you, any frame, fork, or component found to be defective by Kent. **CONSUMER MUST PAY ALL LABOR AND TRANSPORTATION CHARGES CONNECTED WITH THE REPAIR OR WARRANTY WORK.**

How do you get service? Phone the Customer Service Department (8am - 4pm E.S.T.) at 1-800-451-KENT. All warranty claims should be made to Kent International, Inc. 60 E. Halsey Rd. Parsippany, NJ 07054 USA.

What rights do you have? This limited warranty gives you specific legal rights. You may also have other rights which vary from State to State.

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103. The goods did not conform to the warranty.

104. The nonconformity injured the Plaintiff; and

- 105. Plaintiff notified the Defendants of the nonconformity in a timely fashion.
- 106. Defendant Kent breached the warranty.
- 107. As a direct and proximate result, Plaintiff was damaged.

WHEREFORE, Plaintiff prays for judgment against the Defendants, jointly and severally, and for such other relief as the Court deems just and proper.

COUNT VI -- MISSOURI MERCHANDISING PRACTICES ACT

- 108. Plaintiff incorporates the foregoing paragraphs by reference as if set forth more fully herein.
- 109. The trike is considered to be "merchandise" as the term is defined in RSMo. §407.010(4).
- 110. Defendants, acting together, offered the trike for sale and did sell the Subject trike to Plaintiff for cash and, therefore, the transaction in question is a "sale" as the term is defined by RSMo. §407.010(6).
- 111. At the time of sale, Defendants' agent represented to Plaintiff the bike was in good working order and was carefully assembled and was ready to ride.
- 112. Defendants used and engaged in acts of deception, fraud, false pretense, false promise, misrepresentation, unfair practice, concealment, suppression and omission of material facts before and during the sale of the trike to plaintiff in violation of RSMo. §407.020.
- 113. Plaintiff purchased the trike for personal, family and household purposes and the trike has only been used as a personal trike since its purchase by Plaintiff.

114. Plaintiff has suffered and continue to suffer an ascertainable loss of money and property as a result of Defendants' use and employment of a method, act or practice declared unlawful by RSMo. §407.020.

115. Specifically, Plaintiff has and will incur significant costs to evaluate, diagnose, remove, repair and replace the damaged tricycle.

116. Specifically, Plaintiff suffered personal injury, pain, suffering, lost wages, medical bills and expenses.

117. Plaintiff has and will incur attorney fees and expenses and requests the court award her same.

WHEREFORE, Plaintiff prays for judgment against the Defendants, jointly and severally, for attorney fees and costs under the MMPA, and for such other relief as the Court deems just and proper.

DOUGLAS, HAUN & HEIDEMANN, P.C.

901 E. St. Louis Street, 12th Floor

Springfield, MO 65806

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Email : craig@dhhlawfirm.com

By: /s/ Craig R. Heidemann
Craig R. Heidemann
Missouri Bar No. 42778
Attorney for Plaintiff



IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI

Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **WALMART, INC.**

Alias:

CT CORPORATION SYSTEM
120 SOUTH CENTRAL AVENUE
CLAYTON, MO 63105

COURT SEAL OF



TANEY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

11/03/2020

/s/ Amy Strahan, tm

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____.

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ _____

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.




IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI

Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: WALMART STORES EAST LP
Alias:
CT CORPORATION SYSTEMS
120 S CENTRAL AVE
CLAYTON, MO 63105
COURT SEAL OF


TANEY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

11/03/2020 /s/ Amy Strahan, tm
 Date Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____.

Served at _____ (address)
 in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ _____

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI

Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address: CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: KENT INTERNATIONAL INC.

Alias:

THE CORPORATION TRUST COMPANY
1209 ORANGE STREET
WILMINGTON, DE 19801

COURT SEAL OF



TANEY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

11/03/2020

/s/ Amy Strahan, tm

Date

Clerk

Further Information:

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other: _____

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and sworn to before me this _____ (day) _____ (month) _____ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees

Summons \$ _____
Non Est \$ _____
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

See the following page for directions to officer making return on service of summons.

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age who permanently resides with the defendant/respondent, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must be made less than 10 days nor more than 30 days from the date the defendant/respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri court within 30 days after service.



IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI

Return
5/13/23

Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address: CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: KENT INTERNATIONAL INC.
Alias: *70 CTCORP 1205 Central per letter 30 CTCOR*
THE CORPORATION TRUST COMPANY
1209 ORANGE STREET
WILMINGTON, DE 19801

COURT SEAL OF

TANEY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

11/03/2020 /s/ Amy Strahan, tm
Date Clerk

Further Information:

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) **LCW-A. BRANDON** (title) **INTAKE SPECIALIST** (address) _____ (time) **9 AM**
 - ☒ other: _____

Served at **CT CORP** in **St. Louis County** County, _____ (state) **DEC 01 2020** (date) at _____ (time) **9 AM**

TOM DIKAKIN
Printed Name of Sheriff or Server

Subscribed and sworn to before me this _____ (day) _____ (month) _____ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees
 Summons \$ _____
 Non Est \$ _____
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

See the following page for directions to officer making return on service of summons.

GDP
11/25/20




IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI

Return
SB 12/3

Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address: CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: KENT INTERNATIONAL INC.
Alias: *Y. CTCORP 30 120 S Central per letter CTCOR*
THE CORPORATION TRUST COMPANY
1209 ORANGE STREET
WILMINGTON, DE 19801

COURT SEAL OF

TANEY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

11/03/2020 /s/ Amy Strahan, tm
Date Clerk

Further Information:

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) **LCW-A. BRANDON** (title) **INTAKE SPECIALIST**
 - ☒ other: _____ (address)

Served at **CT CORP** in **St. Louis County** County, _____ (state) **DEC 01 2020** (date) at **9 AM** (time).

TOM STRAHAN
Printed Name of Sheriff or Server

Subscribed and sworn to before me this _____ (day) _____ (month) _____ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees
Summons \$ _____
Non Est \$ _____
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

See the following page for directions to officer making return on service of summons.

GDP
11/25/20



IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI


Return
SR 12/3

Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **WALMART STORES EAST LP**
Alias: *30 CT COR*

CT CORPORATION SYSTEMS
120 S CENTRAL AVE
CLAYTON, MO 63105
COURT SEAL OF


TANEY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

11/03/2020 /s/ Amy Strahan, tm
Date Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to **ECW - A. BRANDON** (title) **INTAKE SPECIALIST** (name)
☒ other: _____

Served at **CT CORPORATION** (address)
in **St. Louis County** (County/City of St. Louis), MO, on **DEC 0 12020** (date) at **9 AM** (time).

Tom Deakin
Printed Name of Sheriff or Server

[Signature]
Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
Non Est \$ _____
Sheriff's Deputy Salary \$ 10.00
Supplemental Surcharge \$ 10.00
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

GDP
11/25/20




IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI

Return
SB 12/3

Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	

(Date File Stamp)

Summons in Civil Case

<p>The State of Missouri to: WALMART, INC. Alias:</p> <p>CT CORPORATION SYSTEM 120 SOUTH CENTRAL AVENUE CLAYTON, MO 63105 COURT SEAL OF</p>  <p>TANEY COUNTY</p>	<p><i>30</i> <i>CTCOR</i></p> <p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p> <p>11/03/2020 /s/ Amy Strahan, tm Date Clerk</p>
--	--

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) **LOW - A. BRANDON** (title).
- ☒ other: **CT CORPORATION** **INTAKE SPECIALIST**

Served at _____ (address)
in **St. Louis County** (County/City of St. Louis), MO, on **DEC 01 2020** (date) at **9 AM** (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer.

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$_____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

20-SMCC-10614

GDP
11/25/20



IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI


Return
S B 12/3

Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **WALMART STORES EAST LP**
Alias: *BO CT COR*

CT CORPORATION SYSTEMS
120 S CENTRAL AVE
CLAYTON, MO 63105
COURT SEAL OF


TANEY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

11/03/2020 /s/ Amy Strahan, tm
Date Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to **ECW - A. BRANDON** (title) **INTAKE SPECIALIST** (name)
☒ other: _____

Served at **CT CORPORATION** (address)
in **St. Louis County** (County/City of St. Louis), MO, on **DEC 01 2020** (date) at **9 AM** (time).

Tom Deakin
Printed Name of Sheriff or Server

[Signature]
Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
Non Est \$ _____
Sheriff's Deputy Salary \$ _____
Supplemental Surcharge \$ **10.00**
Mileage \$ _____ (_____ miles @ \$_____ per mile)
Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

20-SMCC-10613

60P
11/25/20



IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI

Return
SB 12/3


Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **WALMART, INC.**
Alias: *30 CTCOR*

CT CORPORATION SYSTEM
120 SOUTH CENTRAL AVENUE
CLAYTON, MO 63105
COURT SEAL OF


TANEY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

11/03/2020 /s/ Amy Strahan, tm
Date Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to **LOW-A. BRANDON** (name) **INTAKE SPECIALIST** (title).
☒ other: **CT CORPORATION**

Served at **St. Louis County** (County/City of St. Louis), MO, on **DEC 01 2020** (date) at **9 AM** (time).

Tom Strakin
Printed Name of Sheriff or Server Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
Non Est \$ _____
Sheriff's Deputy Salary
Supplemental Surcharge \$ 10.00
Mileage \$ _____ (_____ miles @ \$._____ per mile)
Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

GDP
11/25/20

20-SMCC-10614

IN THE CIRCUIT COURT OF TANEY COUNTY, MISSOURI

LEISA GROVES,

Plaintiff,

VS

Case No. 2046-CC00257

**KENT INTERNATIONAL, INC,
WAL-MART STORES EAST, L.P.
WALMART, INC.,**

Defendants.

PLAINTIFF'S MOTION FOR CHANGE OF JUDGE

COMES NOW, Plaintiff Leisa Groves, and pursuant to Rule 51.05 requests a change of judge.

DOUGLAS, HAUN & HEIDEMANN, P.C.

901 E. St. Louis St., Suite 1200

Springfield MO 65806

Telephone: (417) 887-4949

Fax: (417) 887-8618

craig@dhhlawfirm.com

By /s/ Craig R. Heidemann

Craig R. Heidemann

Missouri Bar No. 42778

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that this document is being filed electronically with the Taney County Circuit Court Clerk. A true and accurate copy of this document was served on the following parties via first-class U.S. Mail, postage prepaid, on this 24th day of December 2020:

Kent International Inc.
c/o CT Corporation System
120 South Central Ave
Clayton, Missouri 636105

Wal-Mart Stores East, L.P.
c/o CT Corporation System
120 South Central Ave
Clayton, Missouri 636105

Walmart, Inc.
c/o CT Corporation System
120 South Central Ave
Clayton, Missouri 636105

By /s/ Craig R. Heidemann

DHH No. 26017-001

IN THE CIRCUIT COURT OF TANEY COUNTY, MISSOURI

LEISA GROVES,

Plaintiff,

vs.

Case No. 2046-CC00257

KENT INTERNATIONAL, INC.,
WAL-MART STORES EAST, L.P. and
WALMART, INC.,

Defendants.

PLAINTIFF'S NOTICE OF HEARING

TAKE NOTICE that Craig R. Heidemann will call up for hearing *Plaintiff's Motion for Change of Judge* in the Circuit Court of Taney County, Missouri, on Thursday, January 7, 2021 via telephone at 417-234-4335 at 9:00 a.m. or as soon thereafter as counsel may be heard.

DOUGLAS, HAUN & HEIDEMANN, P.C.

901 E. St. Louis St., Suite 1200

Springfield MO 65806

Telephone: (417) 887-4949

Fax: (417) 887-8618

craig@dhhlawfirm.com

By /s/ Craig R. Heidemann

Craig R. Heidemann

Missouri Bar No. 42778

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that this document is being filed electronically with the Taney County Circuit Court Clerk. A true and accurate copy of this document was served on the following parties via first-class U.S. Mail, postage prepaid, on this 24th day of December 2020:

Kent International Inc.
c/o CT Corporation System
120 South Central Ave
Clayton, Missouri 636105

Wal-Mart Stores East, L.P.
c/o CT Corporation System
120 South Central Ave
Clayton, Missouri 636105

Walmart, Inc.
c/o CT Corporation System
120 South Central Ave
Clayton, Missouri 636105

By _____ /s/ Craig R. Heidemann

DHH No. 26017-001



DOUGLAS
HAUN
HEIDEMANN®
JUSTICE. FROM EVERY ANGLE.

December 28, 2020

Tina Rowe
Taney County Circuit Court
PO Box 129
Forsyth, MO 65653

RE: Leisa Groves v. Kent International, Inc. et al
Case No: 2046=CC00257
DHH No: 26017=001
DHH Client: Leisa Groves

Dear Tina:

As per our telephone conversation this date, please recall the Request for Alias Summons for Kent International, Inc. as well as the Alias Summons issued, as I did not have the authority to file a Non-Est Summons Return.

Victoria Roberts

By: _____
Victoria Roberts, Litigation Paralegal



IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI

Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address: CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	(Date File Stamp)

Summons for Personal Service Outside the State of Missouri

(Except Attachment Action)

The State of Missouri to: KENT INTERNATIONAL INC.

Alias:

THE CORPORATION TRUST COMPANY
1209 ORANGE STREET
WILMINGTON, DE 19801

COURT SEAL OF



TANEY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

12/28/2020

/s/ Amy Strahan, tm

Date

Clerk

Further Information:

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other: _____

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and sworn to before me this _____ (day) _____ (month) _____ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees

Summons \$ _____
Non Est \$ _____
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

See the following page for directions to officer making return on service of summons.

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age who permanently resides with the defendant/respondent, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must be made less than 10 days nor more than 30 days from the date the defendant/respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri court within 30 days after service.



IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI

Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address: CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: KENT INTERNATIONAL INC.

Alias:

THE CORPORATION TRUST COMPANY
1209 ORANGE STREET
WILMINGTON, DE 19801

COURT SEAL OF



TANEY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

12/28/2020

/s/ Amy Strahan, tm

Date

Clerk

Further Information:

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other: _____

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and sworn to before me this _____ (day) _____ (month) _____ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees

Summons \$ _____
Non Est \$ _____
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

See the following page for directions to officer making return on service of summons.

Directions to Officer Making Return on Service of Summons

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Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age who permanently resides with the defendant/respondent, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.


Service must be made less than 10 days nor more than 30 days from the date the defendant/respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri court within 30 days after service.



IN THE 46TH JUDICIAL CIRCUIT, TANEY COUNTY, MISSOURI

Judge or Division: JEFFREY M MERRELL	Case Number: 2046-CC00257
Plaintiff/Petitioner: LEISA JOANNE GROVES	Plaintiff's/Petitioner's Attorney/Address: CRAIG RICHARD HEIDEMANN P O BOX 117 111 WEST BROADWAY BOLIVAR, MO 65613
Defendant/Respondent: KENT INTERNATIONAL INC.	Court Address: 266 MAIN STREET PO BOX 129 FORSYTH, MO 65653
Nature of Suit: CC Pers Injury-Prod Liab	(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

<p>The State of Missouri to: KENT INTERNATIONAL INC.</p> <p>Alias: THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801</p> <p>COURT SEAL OF  TANEY COUNTY</p>	<p>You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.</p> <p>11/03/2020 /s/ Amy Strahan, tm</p> <p>Date Clerk</p> <p>Further Information:</p>
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Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other: Don East

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server _____ Signature of Sheriff or Server _____

Subscribed and sworn to before me this _____ (day) _____ (month) _____ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal) _____ Signature and Title _____

Service Fees

Summons	\$ _____
Non Est	\$ _____
Mileage	\$ _____ (_____ miles @ \$ _____ per mile)
Total	\$ _____

See the following page for directions to officer making return on service of summons.



DOUGLAS
HAUN
HEIDEMANN
JUSTICE. FROM EVERY ANGLE.

December 28, 2020

Amy Strahan, Clerk
Taney County Circuit Court
PO Box 129
Forsyth, MO 65653

RE: Leisa Groves v Kent International, Inc., et al.
Taney County Case #2046-CC00257
DHH No. 26017-001
DHH Client: Leisa Groves

Dear Clerk:

Please issue an alias summons to Defendant, Kent International, Inc. the original summons has not been served.

Yours truly,

DOUGLAS, HAUN & HEIDEMANN, P.C.

By: /s/ Victoria Roberts
Victoria Roberts, Litigation Paralegal

VRR:hs

417.887.4949 ☎
417.887.8618 📠

901 East St. Louis Street
Suite 1200
Springfield, MO 65806

DHHLAWFIRM.COM